

REMARKS

Applicant appreciates the thorough review by the Examiner. In response to the restriction requirement set forth under the provisions of 35 U.S.C. §121 in the Office Action mailed May 5, 2006, Applicant hereby provisionally elects the claims designated as Group I by the Examiner (Claims 1-12), without traverse.

In response to the election requirement the Examiner alleged that there are three distinct species: (1) the embodiment shown in Figures 1 and 3 (auxiliary engine system with electrical generator 17b); (2) the embodiment shown in Figure 2 (auxiliary engine system with electrical compressor 31); and (3) another alternative embodiment discussed in the section pertaining to Figure 2 (auxiliary engine system with electrical generator 17b and compressor 31). Applicant provisionally elects the first species, with traverse. Applicant respectfully submits that Figures 1 and 2 are merely schematic representations of alternate embodiments of the auxiliary power generating apparatus. Figures 3 and 4 show how the auxiliary power generating apparatus associated with both Figures 1 and 2 fits in the housing (Figure 1) and is connected on the skid (Figure 4). Those readily skilled in the art would appreciate that compressor 31 can easily be substituted in Figure 3 for generator 17b within housing 51 without undue experimentation. This is further supported by the first sentence of paragraph [0021] in the Application which states:

[0021] Referring to Figure 2, auxiliary power unit 11 includes but is not limited to the same configuration as that shown in Figure 1, except an auxiliary compressor 31 is mechanically coupled with auxiliary engine 13 instead of AC generator 17b. ...Auxiliary compressor 31 can be directly coupled to the drive shaft of auxiliary engine 13, or preferably a belt and pulley assembly can be used in a manner similar to the configuration shown in Figures 1 and 3.

Applicant respectfully submits that both independent claims 1 and 10 are generic of the three alleged species. This will become readily apparent in the following listing of claims readable on the species.

Species 1: Claims 1-7, 10-11, and withdrawn claims 13-17

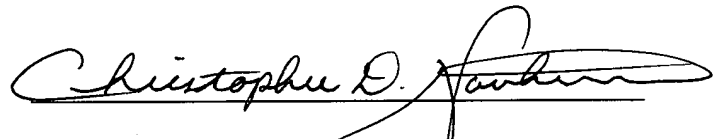
Species 2: Claims 1-5, 8-10, 12, and withdrawn claims 13-15 and 17-18

Species 3: Claims 1-12 and withdrawn claims 13-18

Accordingly, Applicant respectfully submits that all three species should be included in further prosecution of the elected claims.

Respectfully submitted,

Dated: October 16, 2006



Christopher D. Northcutt, Reg. No. 55,908
BRACEWELL & GIULIANI LLP
P.O. Box 61389
Houston, Texas 77002
Direct: 713/221-1533
Direct Fax: 713/437-5324

and

James E. Bradley, Reg. No. 27,536
BRACEWELL & GIULIANI LLP
P.O. Box 61389
Houston, Texas 77002
Direct: 713/221-3301
Direct Fax: 713/222-3287
ATTORNEYS FOR APPLICANT